

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, FEBRUARY 10, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:35 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Palatiello, as Chairman of the Policy and Procedures Committee, noted that there was a memorandum in tonight's packets outlining the proposed changes to the Commission's Bylaws. He encouraged the Commission to review the changes and asked that questions be directed to either himself or Ms. Barbara Lipa, Executive Director. He suggested that action be taken in two weeks, on Thursday, February 24, 2000.

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Chairman Murphy welcomed two members of Boy Scout Troop #717 in Clifton who were in the audience.

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ-1999-PR-026 AND FDP-1999-PR-026, ALD GROUP, INC., TO A DATE CERTAIN OF MARCH 9, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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Commissioner Smyth, at the request of staff, MOVED THAT THE DECISION ONLY ON RZ-1999-PR-023 AND FDP-1999-PR-023, M/I SCHOTTENSTEIN HOMES, BE DEFERRED TO A DATE CERTAIN OF MARCH 30, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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Commissioner Byers referred to RZ-1999-MV-049, Storage Partners I Inc., and MOVED THAT THE PUBLIC HEARING BE DEFERRED TO A DATE CERTAIN OF 24 FEBRUARY 2000.

Commissioners Kelso and Koch seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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ORDER OF THE AGENDA ITEMS

In Secretary Harsel's temporary absence, Chairman Murphy set the following order for tonight's agenda items:

1. SEA-94-V-062 - PAUL SPRINGS RETIREMENT CENTER
2. ZONING ORDINANCE AMENDMENT (Satellite Dishes)
3. RZ-1999-PR-039 - SARAH LANE, LLC & CENTEX HOMES
FDP-1999-PR-039 - SARAH LANE, LLC & CENTEX HOMES
4. 2232-S99-16 - FAIRFAX COUNTY PUBLIC SCHOOLS

This order was accepted without objection.

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SEA-84-V-062 - PAUL SPRINGS RETIREMENT CENTER - Appl.
under Sect. 3-404 of the Zoning Ord. to amend SE-84-V-062 for
housing for the elderly to permit building additions and site
modifications on property located at 7116 Fort Hunt Rd. on
approx. 12.30 ac. zoned R-4. Tax Map 93-4((1))1. MOUNT
VERNON DISTRICT. PUBLIC HEARING

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich & Lubeley, reaffirmed the affidavit dated January 3, 2000. There were no disclosures by Commission members.

Commissioner Byers asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff

and the applicant be waived and the public hearing closed. No objections were expressed, therefore Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA-84-V-062, SUBJECT TO THE DEVELOPMENT CONDITIONS IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD REAFFIRM THE WAIVER OF THE BARRIER REQUIREMENTS FOR ALL PERIPHERIES OF THE APPLICATION.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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ZONING ORDINANCE AMENDMENT (Satellite Dishes) - To amend Chap. 112 of the County Code to permit the placement of television antennas, & direct broadcast satellite & multichannel multipoint distribution dish antennas, 39 inches (one meter) or less in diameter or diagonal measurement, in any yard in accordance w/the Federal Telecommunications Act of 1996.
PUBLIC HEARING.

Mr. Daryl Varney, Zoning Administration Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the language on page 3 of the staff report.

Mr. Varney, Commissioners Wilson, Downer, Murphy, Alcorn and Byers held a discussion regarding how homeowner association and condominium regulations might affect the placement of individual satellite antennas. At Commissioner Palatiello's and Chairman Murphy's request, Mr. Varney agreed to provide the Commission with a copy of the Federal Telecommunications Act of 1996.

Chairman Murphy called for speakers and recited the rules for public testimony.

Mr. Lester Kunz, 4408 Rockcrest Drive, Fairfax, general manager of the Idylwood Towers Condominiums, located at 2300 Pimmit Drive, Falls Church, explained that he had had to address the issue of individual satellite reception. He added that, on the advice of the

Condominium Association's attorney, satellite dishes were allowed on individual balconies, but not on the roof or yards because those areas were considered common elements.

Mr. Kunz, Commissioners Wilson, Murphy, Byers, and Downer discussed this issue further.

There being no further speakers and no closing staff comments, Chairman Murphy closed the public hearing and recognized Commissioner Wilson for action on this item. (Verbatim excerpts are in the date file.)

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE PROPOSED ZONING ORDINANCE AMENDMENT ON TELEVISION ANTENNAS, DIRECT BROADCAST SATELLITE DISH ANTENNAS AND MULTI-CHANNEL MULTI-POINT DISTRIBUTION DISH ANTENNAS, AS ADVERTISED AND AS AMENDED BY THE STAFF IN THE MEMORANDUM FROM JANE GWINN, ZONING ADMINISTRATOR, DATED FEBRUARY 10, 2000.

Commissioner Byers seconded the motion which carried by a vote of 10-1 with Commissioner Palatiello opposed; Commissioner Harsel not present for the vote.

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION REQUEST THAT THE BOARD OF SUPERVISORS CONSIDER BRINGING TO THE ATTENTION OF OUR CONGRESSIONAL DELEGATION THE CONCERN OF THE COUNTY REGARDING THE IMPACT OF THE FCC REGULATION UPON WHICH THIS ZONING ORDINANCE AMENDMENT IS RELATED AND THE IMPACT IT HAS ON LOCAL ZONING LAW AND HOMEOWNER ASSOCIATION COVENANTS.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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RZ-1999-PR-039 - SARAH LANE, LLC & CENTEX HOMES -

Appl. to rezone from R-1 to PDH-4 to permit residential development at a density of 3.71 du/ac & approval of the conceptual development plan on property located generally on the N. side of Idylwood Rd., approx. 50 ft. W. of its intersection w/Idyl Ln., & at the S. terminus of Pimmit Dr. on approx. 11.30 ac. Comp. Plan Rec: 3-4 du/ac. Tax Map 39-4((1))191 pt., 198 pt., 198A pt., 199; 40-3((1))15-18 & portions of the public rights-of-way for Garret Ave., Sarah Ln., Oak Ave. & A St. to be vacated and/or abandoned.

(Concurrent w/FDP-1999-PR-039.) [Approval of this appl. may enable the vacation &/or abandonment of portions of the public rights-of-way for Garret Ave., Sarah Ln., Oak Ave. & A St. to proceed under Sect. 15.2-2272 (2)]. PROVIDENCE DISTRICT.

FDP-1999-PR-039 - SARAH LANE, LLC & CENTEX HOMES - Appl. to approve the final development plan for RZ-1999-PR-039 to permit residential development on property located generally on the N. side of Idylwood Rd., approx. 50 ft. W. of its intersection w/Idyl Ln., & at the S. terminus of Pimmit Dr. on approx. 11.30 ac. zoned PDH-4. Tax Map 39-4((1))191 pt., 198 pt., 198A pt., 199; 40-3((1))15-18 & portions of the public rights-of-way for Garret Ave., Sarah Ln., Oak Ave. & A St. to be vacated and/or abandoned. (Concurrent w/RZ-1999-PR-039.) [Approval of this appl. may enable the vacation and/or abandonment of portions of the public rights-of-way for Garret Ave., Sarah Ln., Oak Ave. & A St. to proceed under Sect. 15.2-2272 (2)]. PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Timothy Sampson, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated January 12, 2000. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Sampson explained that this was a transitional site, with higher density (R-20) to the northeast and lower density (R-1 and R-3) to the southwest, and that the applicant's proposal for PDH-4 represented a medium density at 3.7 dwelling units per acre. He added that the proposed parcel consolidation and medium density was in harmony with the Comprehensive Plan recommendations. Mr. Sampson noted that the limits of clearing and grading had been drawn so as to save as many trees as possible, resulting in approximately 20 percent of tree cover including more than 50 quality trees. He stated that the tree preservation plan included a proposal to transplant a number of mature American Holly trees to areas where they would be more likely to survive. He briefly outlined additional amenities offered by the applicant as follows:

- 1) a monetary contribution to the Park Authority;
- 2) a monetary contribution to the Housing Fund;
- 3) high quality architecture; and
- 4) streetscaped public streets with sidewalks on both sides.

In response to a question from Commissioner Kelso, Mr. Sampson said that the cul-de-sacs with landscaped islands in the middle would be subject to approval by the Virginia Department of Transportation (VDOT).

Mr. Sampson responded to questions from Commissioner Wilson concerning the proposed street vacation and interparcel access to the two unconsolidated parcels on the block.

In response to a question from Commissioner Byers, Mr. Sampson said that the Fire Department had reviewed the applicant's proposal and found it to be acceptable, including the plan for only one access point to the new development.

Chairman Murphy called for speakers from the audience.

Mr. Lester Kunz, 4408 Rockcrest Drive, Fairfax, general manager of the Idylwood Towers Condominiums, located at 2300 Pimmit Drive, Falls Church, expressed his concern for the additional traffic that would be generated by the proposed development, all of which would use the roads adjacent to Idylwood Towers for access to the new homes.

Mr. Michael Kutzleb, 2321 Chestnut Hill Avenue, Falls Church, did not oppose the applications, but felt that the density was higher than necessary and that the subject property could be reasonably developed at a straight R-3 density.

There being no further speakers, Chairman Murphy called upon Mr. Sampson for a rebuttal statement.

Mr. Sampson stated that traffic from the new development would be negligible and that the roads to be used could easily accommodate the additional vehicles.

In her closing staff comments, Ms. Godfrey noted that the Office of Transportation had reviewed the applicant's proposal and found the access to be adequate.

In response to a question from Commissioner Alcorn, Ms. Godfrey said she did not have specific information regarding the percentage of increase in traffic.

There being no further comments or questions, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-1999-PR-039, SUBJECT TO THE EXECUTION OF PROFFERS DATED JANUARY 19, 2000.

Commissioners Hall and Byers seconded the motion which carried unanimously.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE FDP-1999-PR-039, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 10, 2000 AND THE BOARD'S APPROVAL OF RZ-1999-PR-039 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioners Hall and Byers seconded the motion which carried unanimously.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE TRAIL REQUIREMENT ALONG IDYLWOOD ROAD.

Commissioners Hall and Byers seconded the motion which carried unanimously.

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(Vice Chairman Byers assumed the Chair for the hearing of this next case in the Springfield District.)

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2232-S99-16 - FAIRFAX COUNTY PUBLIC SCHOOLS – Appl. to acquire approx. 75 ac. NE of the intersection of Union Mill Rd. & Compton Rd. & construct a new public middle school. Tax Map 74-2((1))7A pt., 8B, 8V/8Z pt. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Mr. David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Jillson responded to questions from Vice Chairman Byers regarding the length of the sewer extension; from Commissioner Alcorn regarding the amount of open space; and from Commissioner Wilson regarding the bus loop, kiss and ride areas, and fire lanes.

Mr. Sunny Sarna, Civil Engineering and Site Acquisition, Fairfax County Public Schools, said that he was pleased and proud to present this application to the Commission. He offered to answer any questions the Commissioners might have and noted that Mr. Sy Samaha, architect for the project, was also available to answer questions.

Vice Chairman Byers asked Mr. Sarna to respond to the two issues raised by himself and Commissioner Wilson. Mr. Sarna replied that the main sewer line from the road to the proposed school building would meet the 400 foot rule, but noted that lateral sewer lines to various parts of the building from that main line were allowed if determined to be reasonable and necessary during site plan review. Regarding the fire lane issue, Mr. Sarna acknowledged that there was an inherent conflict in the regulations, but that kiss and ride areas were permitted in fire lanes.

Commissioner Kelso complimented Mr. Sarna, Mr. Samaha and other school personnel for a very comprehensive staff report.

Vice Chairman Byers called the first listed speaker.

Ms. Wendy Zazzero, 13504 Compton Road, Clifton, spoke in opposition to the application. She said the proposed school would create too much traffic.

Mr. John Pratt, 6713 Harwood Place, Springfield, Chairman of the Springfield District Council, spoke in support of the application. (A copy of Mr. Pratt's statement is in the date file.)

Commissioner Murphy thanked Mr. Pratt for coming and for his many years of involvement in the land use process in Springfield District. Mr. Pratt thanked Commissioner Murphy and commented on the fire lane issue. He said that temporary parking in fire lanes was permitted in other instances such as the pick-up lanes at grocery stores, and that the fire lanes depicted on the proposed plan for the school showed that the lanes were wide enough for fire trucks to get through even if cars were parked there. He added that kiss and ride areas were generally used by parents who never left their vehicles and would certainly be able to move out of the way quickly if a fire truck approached.

Mr. John Roderique, 6037 Forest Run Drive, Clifton, representing the Little Rocky Run Homeowners Association, supported the application and noted that road improvements planned in the area would improve the traffic situation. (A copy of a resolution from the Association is in the date file.)

Commissioner Murphy reminded everyone that this public facilities application was not subject to the same level of detailed scrutiny by staff as a rezoning. He added that specifics regarding design and layout would be evaluated during the site plan process. He explained that the anticipated improvements to the intersection of Routes 28 and 29, scheduled to begin soon, would also serve to alleviate traffic flow.

Mr. Albert Francese, 6597 Rockland Drive, Clifton, supported the application. He spoke about the need for a middle school in this area and noted that a significant portion of the subject property would be retained as open space.

Mr. Brian Klare, 1124 Devon Street, Herndon, explained that he was part owner of the subject property. He noted that the School Board had decided not to purchase a portion of that property that he felt should have been included.

Mr. Klare responded to questions from Commissioner Downer regarding the purchase agreement between his family and the School Board. Commissioners Murphy and Palatiello commented on the 2232 procedure, noting that the County's approval was required before a formal contract could be executed. Mr. Jillson and Mr. Sarna concurred.

In response to further questions from Commissioner Downer, Mr. Sarna explained that the School Board had elected to omit the southernmost portion of the subject property so that the adjoining parcel, identified as 74-2((1))9, also owned by the Klare family, would not be landlocked.

Mr. Robert Baumgartner, 6619 Briarcroft Street, Clifton, spoke in support of the application. He talked about the need for the school and noted that there were environmental issues that would have to be addressed at a later stage of development.

Commissioner Murphy again spoke about planned road improvements in the area.

Vice Chairman Byers called upon Mr. Sarna for a rebuttal statement.

Mr. Sarna said that the increase in traffic would not be significant and that planned road improvements would ease traffic flow. He indicated that the minimum number of trees would be removed from the site.

In response to a question from Commissioner Alcorn, Mr. Sarna said it was anticipated that more than 50 percent of the site would remain in open space.

In response to a question from Commissioner Murphy, Mr. Sarna said that the School Board hoped to have the school open by September, 2002.

Commissioner Koch noted that, while the new school would be in the Springfield District, a majority of the students would be from the Sully District. He thanked staff and Commissioner Murphy for addressing the concerns of Sully District citizens.

There being no further comments or questions from the Commission and Mr. Jillson having no closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE 2232-S99-16.

Commissioners Hall and Koch seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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(Chairman Murphy resumed the Chair at the conclusion of this case and adjourned the meeting.)

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ADJOURNMENT

February 10, 2000

The meeting was adjourned at 10:25 p.m.
Peter F. Murphy, Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: November 1, 2000

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission